

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LINDA NELSON,

Plaintiff,

vs.

DENISE SKROBECKI, warden, in her
personal and professional capacity; et. al;

Defendants.

4:14CV3010

ORDER

Defendants moved for summary judgment on August 28, 2015. (Filing No. 38). The motion documents were mailed to the plaintiff's address. This mailing was not returned. (Filing No. 41). Plaintiff did not respond to the summary judgment motion.

Pursuant to an order entered on July 9, 2015, a pretrial conference was scheduled to be held on December 10, 2015. (Filing No. 33). Plaintiff did not attend, or contact the court to explain why she could not attend, the pretrial conference.

The plaintiff was released from custody on September 2, 2015, and she provided no forwarding address to the Department of Corrections for receipt of mail. (Filing No. 41). She has not updated her address with the court. See NEGenR 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days).

On December 10, 2015, Defendants filed a motion to show cause why Plaintiff's complaint should not be dismissed for want of prosecution. (Filing No. 41). Plaintiff has not responded to the motion.

Accordingly,

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, pursuant to 28 U.S.C. § 636(b), that Plaintiff's complaint be dismissed with prejudice for want of prosecution, failing to maintain a current address with the court, and failing to participate in the scheduled pretrial conference as ordered.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

January 4, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge